



Docket No.: 57454-072

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

#8

In re Application of :  
Shigeki OHBAYASHI : **CUSTOMER NO. 20277**  
Serial No.: 09/829,046 :  
Filed: April 10, 2001 : **Group Art Unit: 2818**  
For: **STATIC SEMICONDUCTOR MEMORY DEVICE HAVING T-TYPE BIT LINE**  
**STRUCTURE** : **Examiner: not yet assigned**

**PETITION FOR RECONSIDERATION OF HOLDING OF ABANDONMENT**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We are in receipt of the Notice of Abandonment received in the above-referenced application which indicates this application has been abandoned for failure to pay the Issue Fee within the statutory period of three months from the mailing date of the Notice of Allowance.

**It is respectfully submitted that the Notice of Allowance was never received in our office, and therefore the Issue Fee was never processed within our docketing system.**

Applicant filed a Status Inquiry on December 9, 2002. No reply was received to this inquiry. Applicant filed a Second Status Inquiry on July 15, 2003. In reply to this status inquiry a copy of the Notice of Abandonment was received on August 1, 2003.

The Notice of Abandonment did not indicate when the Notice of Allowance was mailed. We contacted Wynette Stapor of TC2800 and were informed the Notice of Allowance was mailed on November 28, 2001.

We conducted a thorough search of all docketing systems to determine if the Notice of Allowance was ever received. All dockets failed to indicate the Notice of Allowance was ever received. Enclosed is a copy of the automated docket of our Docketing Department and also a copy of the page from the Docket Book of our Allowed Applications Department for the due date of February 28, 2002. Each of these docket entries evidence that the Notice of Allowance was not received in our office.

It is requested that this Petition alleging non-receipt of the Notice of Allowance, be treated as a Request to Withdraw a Holding of Abandonment and the **Petition Fee be refunded**. It is believed that this Petition supports the revival of this application, which was abandoned unavoidably due to non-receipt of the Notice of Allowance and Issue Fee Due Notice. It is respectfully requested that the Notice of Abandonment be rescinded and the application returned to pending status and processed for issuance.

Please charge any shortage in fees due in connection with the filing of this paper, including petition and extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



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Date: August 22, 2003